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August 6, 2020

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk and Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Petition of Duke Energy Progress, LLC for an Expedited Decision and Issuance of a Declaratory Order that a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Relocation of Four 230kV Lines at H.B. Robinson Steam Electric Plant is Not Required
Docket No. 2020-157-E.

Dear Ms. Boyd:

I am writing to request that the Commission place on the agenda for its next meeting the request of Duke Energy Progress, LLC ("DEP" or "the Company") for a determination that a Siting Act Certificate is not required for the proposed relocation of certain transmission lines located on the property of the DEP Robinson Generating Station in Darlington County. On June 26, 2020 we filed our petition seeking a determination that, because the replacement of the transmission facilities was the "replacement of an existing facility with a like facility" under S.C. Code Ann. §58-33-110, no Siting Act approval was required. In that petition we also requested expedited treatment of our request in order to minimize disruption to the DEP operations at its Robinson Generating Station.

The Office of Regulatory Staff wrote on July 13, 2020 to indicate that it had reviewed the petition and had no objection to its approval. At its meeting on July 22, 2020 the Commission issued Order No. 2010-498 requiring DEP to provide additional information addressing questions about possible impacts of the transmission relocation on neighboring properties. DEP responded to the questions set out in Order No. 2020-498 on July 29, 2020. In its response the Company indicated that the relocation would not affect any neighboring properties and specifically stated that the "tree line" associated with the proposed new location of the transmission lines would not require the removal of any trees on the adjacent properties, including the two parcels identified in Order No. 2020-498.



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The purpose this letter is to emphasize the operational importance to DEP of obtaining a ruling from the Commission on our petition. As explained in the petition, the transmission lines are being moved to enable the Company to comply with a consent agreement with the South Carolina Department of Health and Environmental Control ("DHEC") regarding the clean-up of coal ash. In order to meet its obligations under the consent agreement while minimizing disruption to Robinson operations, DEP would prefer to move forward with the relocation project as soon as possible. If, on the other hand, the Commission determines that a full Siting Act proceeding is required for this project, then it would be beneficial for DEP to know that sooner so that alternative plans for complying with the DHEC consent agreement can be made.

I would like to emphasize that we are not suggesting in any way that the Commission has been dilatory in responding to our petition. The questions in Order No. 2020-498 addressed legitimate issues suggested by exhibits to the petition, and DEP has no concerns about addressing those issues. We do request that the Commission move forward now so that the Company can finalize its plans for complying with the DHEC consent agreement.

Thank you for considering our request and please contact me if there are additional questions.

Yours truly,

Frank R. Ellerbe, III

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cc: All parties of record (via email)